

Message Text

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ACTION ACDA-10

INFO OCT-01 IO-10 ISO-00 AEC-05 CIAE-00 EUR-12 H-01 INR-07

L-02 NSAE-00 OIC-02 OMB-01 PA-01 PM-03 PRS-01 SAJ-01

SAM-01 SP-02 SS-15 USIA-06 TRSE-00 RSC-01 NSC-05

BIB-01 DODE-00 ACDE-00 AECE-00 /088 W

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P 101623Z JAN 75

FM USMISSION IAEA VIENNA

TO SECSTATE WASHDC PRIORITY 5370

INFO AEC GERMANTOWN PRIORITY

C O N F I D E N T I A L IAEA VIENNA 0188

E.O. 11652: GDS

TAGS: PARM, TECH, IAEA

SUBJECT: IAEA PROPOSED ACTIVITIES ON PNES

REF: (A) IAEA VIENNA 10121

(B) IAEA VIENNA 10189

(C) IAEA VIENNA 10243

(D) STATE 282585

1. MISSION HAS RECEIVED FORMAL LETTER FROM EKLUND
WHICH DIFFERS LITTLE FROM INITIAL DRAFT TRANSMITTED
REF B. TEXT AS FOLLOWS:

QUOTE. AS YOU KNOW, THE AGENCY HAS ALREADY ESTABLISHED
GUIDELINES FOR THE APPROPRIATE INTERNATIONAL OBSERVATION
OF THE USE OF NUCLEAR EXPLOSIONS FOR PEACEFUL PURPOSES
AND HAS DRAWN UP INITIAL PROCEDURES FOR RESPONDING TO ANY
REQUESTS IT MAY RECEIVE FROM NON-NUCLEAR-WEAPON STATES
FOR ASSISTANCE IN THIS FIELD.

THE GENERAL ASSEMBLY HAS RECENTLY ADOPTED A RESOLUTION
(A/C.1/L/690) IN WHICH IT REQUESTS THE AGENCY "... TO
CONTINUE ITS STUDIES ON THE PEACEFUL APPLICATIONS OF NUCLEAR
EXPLOSIONS THEIR UTILITY AND FEASIBILITY, INCLUDING LEGAL,
HEALTH AND SAFETY ASPECTS..." AND TO REPORT ON THESE
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QUESTIONS AT THE 1975 REGULAR SESSION OF THE ASSEMBLY.

IN THIS CONTEXT I WOULD LIKE TO INFORM YOU THAT A MEETING OF A TECHNICAL COMMITTEE WILL BE HELD IN VIENNA FROM 20 TO 24 JANUARY 1975 UNDER THE TITLE "STUDIES OF PROJECTS INVOLVING THE PEACEFUL APPLICATIONS OF NUCLEAR EXPLOSIONS". IT IS EXPECTED THAT SPECIAL EMPHASIS WILL BE GIVEN TO HEALTH AND SAFETY QUESTIONS.

AS REGARDS THE LEGAL ASPECTS OF THE MATTER, A PRELIMINARY STUDY HAS LED THE SECRETARIAT TO CONCLUDE THAT IT WILL BE IMPRACTICAL TO DRAW UP A SINGLE MODEL AGREEMENT THAT WOULD COVER ALL FEASIBLE TECHNOLOGICAL APPLICATIONS OF NUCLEAR EXPLOSIVES FOR PEACEFUL PURPOSES OR ALL ARRANGEMENTS THAT MIGHT BE APPROPRIATE BETWEEN REQUESTING AND RESPONDING STATES, INCLUDING ARRANGEMENTS INVOLVING THE AGENCY. IT SEEMS POSSIBLE, HOWEVER, TO ELABORATE THE BASIC CONDITIONS THAT SHOULD BE INCORPORATED IN THE AGREEMENTS TO BE CONCLUDED WITH OR BETWEEN THE STATES CONCERNED FOR THE PROVISION OF PNE SERVICES.

IF YOUR GOVERNMENT AGREES IN PRINCIPLE WITH THIS APPROACH AND IS WILLING TO PARTICIPATE IN THE FURTHER STUDY OF THIS MATTER, I WOULD APPRECIATE IT IF YOU WOULD LET ME KNOW ACCORDINGLY AS SOON AS POSSIBLE SO THAT THE PROPOSED STUDY MAY BE INITIATED WITHOUT DELAY. THE SAME APPROACH HAS BEEN MADE TO THE GOVERNMENTS OF FRANCE, THE UK AND THE USSR. WHEN THE SECRETARIAT KNOWS WHICH OF THE STATES ARE ABLE TO PROVIDE SUCH SERVICES ARE INTERESTED IN THE STUDY, INTERESTED MEMBER STATES WILL BE INVITED TO TAKE PART IN A MEETING IN VIENNA TO DISCUSS THE MATTER, PROBABLY IN THE MIDDLE OF FEBRUARY 1975. END QUOTE.

2. COMMENT: WHILE WORDING OF PARA 5, SECOND SENTENCE IS UNCHANGED FROM ORIGINAL DRAFT, MISSION IS CONFIDENT THAT AGENCY SHARES LIMITED OBJECTIVES AND APPROACH TO LEGAL ISSUES WHICH DEPT HAS OUTLINED IN REF D. WITH REFERENCE PARA 5, REF D, MISSION WISHES POINT OUT THAT AGENCY'S LEGAL DIVISION WILL IN FACT PERFORM FUNCTION OF IDENTIFYING LEGAL ISSUES.

3. FURTHER MISSION COMMENTS ON REF D TRANSMITTED SEPTTEL. PORTER

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